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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

11 THE CORING COMPANY, on behalf of
12 themselves and all others similarly situated

13 Plaintiffs,

14 v.

15 APPLE INC.,

16 Defendant.

Case No. 3:22-CV-01044-EMC

**DECLARATION OF RACHEL S. BRASS IN
SUPPORT OF DEFENDANT APPLE INC.'S
MOTION TO DISMISS COMPLAINT AND
MOTION TO STRIKE**

1 I hereby declare as follows:

2 1. I am an attorney licensed to practice in the State of California, and a member of the Bar
3 of this Court. I am a partner at the law firm Gibson, Dunn & Crutcher LLP, counsel of record for
4 Defendant Apple Inc. (“Apple”) in this case. I submit this declaration in support of Apple’s Motion to
5 Dismiss Complaint and Motion to Strike. I have personal knowledge of the facts stated below and, if
6 called as a witness, I could and would testify competently thereto.

7 2. Attached to this Declaration as **Exhibit 1** is a true and correct copy of the current Apple
8 Developer Agreement. The Apple Developer Agreement is publicly available at the following URL:
9 <https://developer.apple.com/support/downloads/terms/apple-developer-agreement/Apple-Developer-Agreement-20211213-English.pdf>.

10 3. Attached to this Declaration as **Exhibit 2** is a true and correct copy of the current Apple
11 Developer Program License Agreement. The Apple Developer Program License Agreement is publicly
12 available at the following URL: <https://developer.apple.com/support/downloads/terms/apple-developer-program/Apple-Developer-Program-License-Agreement-20211213-English.pdf>.

13 4. Attached to this Declaration as **Exhibit 3** is a true and correct copy of Schedules 2 and
14 3 of the Apple Developer Program License Agreement. Schedules 2 and 3 of the Apple Developer
15 Program License Agreement are publicly available at the following URL:
16 <https://developer.apple.com/support/downloads/terms/schedules/Schedule-2-and-3-20220225-English.pdf>.

17 5. Attached to this Declaration as **Exhibit 4** is a true and correct copy of the current App
18 Store Review Guidelines. The App Store Review Guidelines are publicly available at the following
19 URL: <https://developer.apple.com/app-store/review/guidelines/>.

20 6. Attached to this Declaration as **Exhibit 5** is a true and correct copy of the Articles of
21 Incorporation for “The Coring Company,” located on the Florida Secretary of State, Division of
22 Corporations’ official database.

23 7. Attached to this Declaration as **Exhibit 6** is a true and correct copy of Keith Mathews’
24 Application for Admission of Attorney Pro Hac Vice, filed on July 27, 2021 in *Coronavirus Reporter*
25 //

1 *v. Apple Inc.*, 21-cv-5567-EMC (N.D. Cal.) at docket number 8.

2 I declare under penalty of perjury under the laws of the United States that the foregoing is true
3 and correct and that this Declaration was executed on March 11, 2022 at San Francisco, California.

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5 */s/ Rachel S. Brass*

6 Rachel S. Brass

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